

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

FILED

OCT 5 2022

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY DEPUTY CLERK

UNITED STATES OF AMERICA)

v.)

MARK SOKOLOVSKY,)

Defendants)

) Criminal No. 1:21-CR-224-LY

) **EX PARTE & UNDER SEAL**

ORDER

In accordance with the request in the government's *ex parte* Motion for Alternative Victim Notification Procedures, the Court hereby ORDERS:

That for purposes of providing victim notification, pursuant to 18 U.S.C. § 3771(d)(2), the government is authorized to employ the alternative victim notification procedures as set forth below, in lieu of those prescribed by §§ 3771(a), (b), and (c), on the grounds that the number of crime victims in this case makes it impracticable to accord all the crime victims the rights described in § 3771(a). Having fully considered the government's *ex parte* Motion and the particular circumstances of this case, the Court also finds that the alternative notification procedures proposed by the government are reasonable and sufficient to give effect to the crime victim rights outlined in § 3771 and will not unduly complicate or prolong the proceedings.

Therefore,

IT IS ORDERED that the government's motion is hereby **GRANTED**.

IT IS FURTHER ORDERED that the government may utilize the following procedures in order to provide timely notice to all alleged victims in this case:

First, the government may utilize a website in which any member of the public may input his or her email address to check if their email address is contained within the Raccoon

Infostealer stolen data in the government's possession. If the email address is within the data, the government will then send an email to that address notifying the user. The notification email will direct the potential victim to a specific webpage at the FBI's Internet Crime Complaint Center where the potential victim can fill out a detailed complaint and share any financial or other harm experienced as a result of their information being stolen. The potential victims will also be directed to general information about the case (including the indictment and case status updates) as well as resources like www.identitytheft.gov for resources on how to better protect their identity and online accounts.

The government will share this information with the public via a press release and other methods it deems appropriate.

Second, as permitted by financial and privacy rules and regulations, the government will explore options to notify the relevant entities associated with stolen credentials.

The Court finds that providing potential victims with such notice is appropriate because it will provide information potentially necessary to vindicate rights that may otherwise be lost.

IT IS FURTHER ORDERED that the Government's Motion and this Order remain
UNDER SEAL until further order of this Court.

IT IS SO FOUND AND ORDERED this 5th day of October, 2022.


LEE YEAKEL
UNITED STATES DISTRICT JUDGE